

EXHIBIT 7

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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

IN RE ABBOTT LABORATORIES NORVIR
ANTITRUST LITIGATION) Case No. 04-1511
)
) **ABBOTT LABORATORIES'**
) **RESPONSES TO PLAINTIFFS' SECOND**
) **REQUEST FOR PRODUCTION OF**
) **DOCUMENTS**
)
) Honorable Claudia Wilken
)
)
)

1 **DOCUMENT REQUEST NO. 43**

2 All documents evidencing, referring, or relating to the number, proportion, or market
 3 share of patients who use Ritonavir as a stand-alone protease inhibitor as compared to those who use
 Ritonavir Co-administered with other Protease Inhibitors.

4 **RESPONSE:** Abbott incorporates its General Objections as if fully set forth herein. Further
 5 answering, Abbott specifically objects to this request because it is over broad, vague unduly
 6 burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject
 7 to the foregoing, Abbott will produce, to the extent they exist, documents containing information
 8 regarding the number or percentage of patients who use ritonavir as a stand-alone protease inhibitor
 9 as opposed to as a booster.

11 **DOCUMENT REQUEST NO. 44**

12 All documents evidencing, referring, or relating to Abbott's decision to market
 13 Ritonavir in 100 mg. (sic) doses.

14 **RESPONSE:** Abbott incorporates its General Objections as if fully set forth herein. Further
 15 answering, Abbott specifically objects to this request because it irrelevant, over broad, vague, unduly
 16 burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Relevant
 17 documents relating to the marketing of Norvir already have been produced.

19 **DOCUMENT REQUEST NO. 45**

20 All documents evidencing, referring, or relating to Abbott's decision not to market
 Ritonavir in doses larger than 100 mg.

21 **RESPONSE:** Abbott incorporates its General Objections as if fully set forth herein. Further
 22 answering, Abbott specifically objects to this request because it irrelevant, over broad, vague, unduly
 23 burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Relevant
 24 documents relating to the marketing of Norvir already have been produced.

26 **DOCUMENT REQUEST NO. 46**

27 All documents evidencing, referring, or relating to the marketing or promotion of
 Ritonavir as a drug that Boosts other Protease Inhibitors.

1 **RESPONSE:** Abbott incorporates its General Objections as if fully set forth herein. Further
 2 answering, Abbott specifically objects to this request because it is irrelevant, over broad, vague,
 3 unduly unduly burdensome and not reasonably calculated to lead to the discovery of admissible
 4 evidence. In addition, the terms "marketing" or "promotion" are vague and undefined. Relevant
 5 documents related to the marketing of ritonavir have already been produced.
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7 **DOCUMENT REQUEST NO. 47**

8 All documents evidencing, referring, or relating to the sale of Ritonavir before 1996.

9 **RESPONSE:** Abbott incorporates its General Objections as if fully set forth herein. Further
 10 answering, Abbott specifically objects to this request because it is over broad, unduly burdensome
 11 and not reasonably calculated to lead to the discovery of admissible evidence. Abbott also objects to
 12 the extent that this request seeks information protected by any applicable privilege, including but not
 13 limited to the attorney-client privilege or work product privilege. Finally, Abbott objects to this
 14 request because it seeks information that does not relate to any claim or defense at issue in this
 15 litigation. Specifically, this request appears to go to the validity of Abbott's patents, which the Court
 16 has indicated is not a proper subject of discovery. Indeed, the Court denied Plaintiffs' Rule 56(f)
 17 request for further discovery relating to "the patents' validity and enforceability." (9/12/05 Order at
 18 6). As Judge Wilken explained "Plaintiffs have not identified any facts that they hope to obtain from
 19 discovery relating to the Norvir patents' validity, nor have they alleged in this litigation that
 20 Defendants' patents are invalid." (*Id.*). Accordingly, this request is improper.
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22 **DOCUMENT REQUEST NO. 48**

23 All documents evidencing, referring, or relating to the use of Ritonavir in any
 24 mammal before 1996.

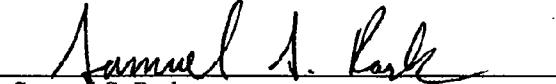
25 **RESPONSE:** Abbott incorporates its General Objections as if fully set forth herein. Further
 26 answering, Abbott specifically objects to this request because it is over broad, unduly burdensome
 27 and not reasonably calculated to lead to the discovery of admissible evidence. Abbott also objects to
 28

1 discovery relating to the Norvir patents' validity, nor have they alleged in this litigation that
2 Defendants' patents are invalid." (*Id.*). Accordingly, this request is improper.
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5 Dated: January 3, 2006

WINSTON & STRAWN LLP

7 By:

8 
9 Samuel S. Park
10 Attorney for Defendant
11 ABBOTT LABORATORIES